

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

EDWARD GRUNAUER,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 08 C 1430
	)	
KOMATSU FORKLIFT U.S.A. and	)	
AUTOMOBILE MECHNICS LOCAL 701,	)	
	)	
Defendants.	)	

**DEFENDANT’S MOTION FOR AN EXTENSION OF TIME  
TO ANSWER OR OTHERWISE PLEAD**

Defendant, Komatsu Forklift U.S.A. (“Komatsu”), hereby moves for a fourteen (14) day extension of time to answer or otherwise plead in response to Plaintiff’s First Amended Complaint. In support of this motion, Komatsu states as follows:

1. The Complaint in the above-captioned matter was filed on March 10, 2008. On information and belief, Komatsu was served with the Complaint on or about March 20, 2008. Komatsu’s Answer or other responsive pleading would, were no extension obtained, be due on or about April 9, 2008.

2. On March 17, 2008, Plaintiff filed his First Amended Complaint in the above-captioned matter. On information and belief, Komatsu has not yet been served with a copy of the First Amended Complaint.

3. Komatsu very recently retained Barnes & Thornburg LLP to represent it with respect to the above-captioned matter.

4. Komatsu requires additional time to investigate the allegations contained within Plaintiff’s First Amended Complaint consistent with the requirements of Federal Rule of Civil Procedure 11.

5. While Komatsu has not yet been served with a copy of the First Amended Complaint, it believes that its investigation and Answer or other responsive pleading can be completed by April 23, 2008, in advance of the currently scheduled April 28 status hearing.

6. On April 8, 2008, Komatsu's counsel left a detailed message with Plaintiff's counsel regarding Komatsu's request for additional time, but as of the filing of this motion Plaintiff's counsel has not returned that call.

WHEREFORE, Defendant Komatsu Forklift U.S.A. respectfully requests a fourteen (14) day extension of time, from April 9, 2008 to April 23, 2008, to answer or otherwise plead in response to Plaintiff's First Amended Complaint.

Dated: April 9, 2008

Respectfully submitted,  
KOMATSU FORKLIFT U.S.A.

/s/ John F. Kuenstler  
John F. Kuenstler

John F. Kuenstler, ARDC #6216396  
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**CERTIFICATE OF SERVICE**

I hereby certify that on April 9, 2008, I electronically filed the foregoing Defendant's Motion For Extension of Time to Answer or Otherwise Plead with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record.

/s/ John F. Kuenstler

John F. Kuenstler